

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.10980 of 2021

S. Mohandoss

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.144, Annasalai, Chennai - 600 002.
2. The Chief Engineer/ Personal,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.144, Annasalai, Chennai - 600 002.
3. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Villupuram Electricity, Division Circle,
Villupuram.
4. The Executive Engineer (O/M),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Kallakurichi.
5. The Assistant Engineer (O/M),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Tirukoilur.

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents particularly the second respondent to consider the petitioner's representation dated 24.02.2021 in the light of the recommendation/ office letters of fourth and fifth respondents dated 29.03.2016 and 11.07.2016 respectively and consequently direct the respondents to regularise the petitioner into the service of the Tamil Nadu Generation and Distribution Corporation Limited with back wages and continuity of service

with all attendant benefits within the time limit that may be fixed by this Court.

For Petitioner : Mr.K.V.Muthuvisakan
For Respondents : M/s.T.S.Gopalan and Co.,

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents particularly, the second respondent to consider the petitioner's representation dated 24.02.2021 in the light of the recommendation/ office letters of fourth and fifth respondents dated 29.03.2016 and 11.07.2016 respectively, and consequently, direct the respondents to regularise the petitioner into the service of the Tamil Nadu Generation and Distribution Corporation Limited with back wages and continuity of service with all attendant benefits within the time limit that may be fixed by this Court.

2. Heard the learned counsel appearing for the parties.

3. The petitioner was engaged as Contract Labourer to work under the respondents. After the 12(3) Settlement 10.08.2007, it is agreed to engage the left over Contract Labourers found in the list annexed to the order. However, it is noted that the petitioner was implicated in a criminal case and latter the criminal case was referred as "mistake of fact". However, the respondents, on the representation of the petitioner, considered his engagement from 2012, but, no order has been passed. On 11.07.2016, the fourth respondent has recommended the case of the petitioner to the second respondent. Even though it is informed to the petitioner that the application made by him for appointment is under process, no order was passed by the respondents. Again, the petitioner made a representation dated 24.02.2021 to the Principal Secretary marking a copy to all the respondents. Now that the petitioner seeks a limited request for disposal of his representation.

4. Considering the fact that the petitioner's representation has been pending for a long time, without going into the merits of the case, the petitioner is directed to resend the copy of the representation dated 24.02.2021 along with all the enclosures to the second respondent within a period of one week from the date of receipt of a copy of this order and the second respondent is directed to consider the representation of the petitioner on merits and in accordance with law within a period of four (4) weeks from the date of receipt of the said representation.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Asi

To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai, Chennai - 600 002.
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Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Annasalai, Chennai - 600 002.
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Kallakurichi.
5. The Assistant Engineer (O/M),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Tirukoilur.

+1cc to Mr.K.V.Muthuvisakan, Advocate, S.R.No. 26710

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UM(CO)
GN(28/06/2021)

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